

REMARKS

In the Office Action dated March 27, 2006, claims 3-13, 15-27, 29-33, 35-42, 44 and 46-47 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,430,556 (Goldberg) in view of U.S. Patent No. 6,298,349 (Toyoshima); and claims 46-47 were rejected under §103(a) as being unpatentable over Goldberg in view of U.S. Patent No. 5,940,819 (Beavin et al.).

Claims 7-9, 29, and 44 have been cancelled, without prejudice, to render the rejection of those claims moot.

REJECTION OVER GOLDBERG AND TOYOSHIMA

All claims were rejected as being obvious over Goldberg and Toyoshima. It is respectfully submitted that a *prima facie* case of obviousness has not been established with respect to the claimed subject matter for at least the following two reasons: (1) no motivation or suggestion existed to combine the teachings of the reference; and (2) the references when combined do not teach or suggest all elements of the claims. See M.P.E.P. §2143 (8th ed., Rev. 3), at 2100-135.

The Office Action conceded that Goldberg does not disclose environment information including at least a number of nodes of a target database system. 3/27/2006 Office Action at 3. Instead, the Office Action relied upon Toyoshima as disclosing this claim feature that is missing from Goldberg. *Id.*

Specifically, the Office Action cited col. 3, lines 60-67, of Toyoshima to support the obviousness rejection. The cited passage of Toyoshima refers to a “second system resource display apparatus” of Toyoshima that is responsive to selection of a user’s name to retrieve resource information from a resource database using an employee number or other keyword, with the second system resource display apparatus displaying a list of the selected user’s computers. The Office Action asserted that “[t]his suggests the number of selectable computers are the number of nodes to be extract [sic] from the network.” 3/27/2006 Office Action at 3-4.

It is respectfully submitted that the list of selected user’s computers that are retrieved from a resource database by using the employee number or other keyword, as disclosed in Toyoshima, clearly does not suggest the environment information recited in claim 3. Note that

the term “environment information” should not be read in isolation, but rather should be read in the context of claim 3. Claim 3 recites receiving user selection pertaining to *environment information* of a target database system to extract from the target database system; receiving, by the test system, the *environment information* extracted based on the user selection from the target database system; and emulating the target database system in the test system using the received *environment information*. The list of a selected user’s computers as taught by Toyoshima clearly cannot be the environment information recited in claim 3.

Therefore, it is submitted that the hypothetical combination of Goldberg and Toyoshima does not teach or suggest all elements of claim 3.

Another error made in the obviousness rejection is the assertion by the Office Action that Goldberg discloses emulating a target database system emulating a target database system using received environment information. 3/27/2006 Office Action at 3. Specifically, the Office Action cited col. 6, lines 48-65, of Goldberg as disclosing this emulating act of claim 3.

The cited passage of Goldberg describes a GUI to present database schema information to a user, and a query object generator tool to construct a query object. There is nothing in this cited passage to even remotely suggest *emulating* the target database system using received environment information. The Office Action did not provide any explanation regarding how Goldberg teaches such emulation.

This is a further basis that the hypothetical combination of Goldberg and Toyoshima does not teach or suggest all elements of claim 3. In view of the foregoing, Applicant respectfully submits that a *prima facie* case of obviousness has not been established with respect to claim 3.

Moreover, it is respectfully submitted that the obviousness rejection of claim 3 is defective for the additional reason that no motivation or suggestion existed to combine the teachings of Goldberg and Toyoshima. Toyoshima relates to use of a resource display apparatus to display information relating to hardware and/or software resources of computers in association with an organization or a computer’s user. Toyoshima, 2:65-3:5. Based on an employee number or other keyword, the resource display apparatus is able to retrieve and display a list of the selected user’s computers. Toyoshima, 3:60-67. The retrieval and listing of computers associated with a particular employee, as taught by Toyoshima, is completely unrelated to the teachings of Goldberg.

Goldberg describes using a GUI 302 to aid the user in formulating a query which is consistent with a database schema. Also, Goldberg describes a query object generator tool that uses a database schema access object 316 for obtaining database schema from database 300. Goldberg, 6:51-54. To assist a user in writing SQL language queries, the database schema access object retrieves and displays schema of the underlying database to the developer. Goldberg, 6:21-28. Based on the SQL queries created by the user (which are consistent with the database schema displayed to the user), the query object generator tool 300 causes generation of source code for a query object 308. Goldberg, 6:56-63. The generator tool of Goldberg receives query strings and parameter information from a user through the GUI. Goldberg, 8:65-67.

Due to the disparate teachings of Goldberg and Toyoshima, it is clear that a person of ordinary skill in the art would not have been motivated to combine the teachings of Goldberg and Toyoshima to achieve the claimed subject matter, as proposed by the Office Action. This is a further reason that the *prime facie* case of obviousness has not been established with respect to Claim 3.

Independent claims 38 and 42 are allowable over Goldberg and Toyoshima for reasons similar to those of claim 3.

Independent claim 46 is allowable for at least the reason that no motivation or suggestion existed to combine the teachings of Goldberg and Toyoshima, and that the hypothetical combination of Goldberg and Toyoshima does not teach or suggest at least the emulating element of claim 46.

REJECTION OVER GOLDBERG AND BEAVIN

Independent claim 46 was also rejected as being obvious over Goldberg and Beavin. The Office Action conceded that Goldberg does not disclose the generating element of claim 46. 3/27/2006 Office Action at 9. However, the Office Action relied upon Beavin as disclosing this element. *Id.*

It is respectfully submitted that Beavin clearly does not disclose or suggest generating an execution plan for a query based on an *emulated* database environment created by *emulating* the target database system. The passage in Beavin (col. 1, lines 61-67) relied upon by the Office Action merely describes how any conventional database system generates an execution plan

based on an input SQL query—there is clearly no suggestion in this passage (or anywhere else in Beavin) of generating an execution plan for a query based on an *emulated* target database system, as recited in claim 46.

Also, as discussed above, Goldberg also does not teach or suggest *emulating* the target database system based on received environment information. Such emulation is also not disclosed or suggested by Beavin.

Therefore, a *prima facie* case of obviousness has not been established with respect to claim 46 over Goldberg and Beavin.

CONCLUSION


Dependent claims are allowable for at least the same reasons as corresponding independent claims.

Allowance of all claims is respectfully requested.

The Commissioner is authorized to charge any additional fees and/or credit any overpayment to Deposit Account No. 14-0225 (9749).

Respectfully submitted,

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